

## **EXHIBIT 5**

**Declaration of Travis Griggs**

I, Travis Griggs, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the foregoing declaration is true and correct.

1. My name is Travis Griggs. I am over the age of 18 years of age and I am competent to make this statement.
2. In 2019, I was incarcerated at Limestone correctional facility.
3. In May 2019, I was attending a disciplinary hearing in C Dorm at Limestone. The hearing officer was Michcal Jones and the charging Officers was Jeremy Pelzer
4. During the hearing, I was sitting in a chair in handcuffs.
5. During the hearing, I listened to Jeremy Pelzer give false testimony about me. I held up my handcuffed hands and stated, “Why you sitting there lying? You just mad at the world cause your arms are shorter than everybody else’s.”
6. In the moment I was angry that a law enforcement officer would blatantly give false testimony about me. My remark was an insult directed at Pelzer’s physical deformity.
7. Pelzer became visibly angry, jumped out of his chair, pulled out his mace, sprayed me in the face and neck area, then charged across the room, grabbed my by the shirt, pulled me out of the chair, and slammed me to the floor.
8. After this event, I filed a section 1983 lawsuit in July 2019 against Pelzer for violating my constitutional rights. Robert Earl Council assisted me in preparing and filing the lawsuit.
9. A federal judge denied summary judgment against Pelzer on my constitutional claim.

10. Pelzer knew that Council assisted me in preparing the pro se lawsuit.

11. They shipped me around the state to different facilities causing me to miss a filing deadline in my lawsuit.

Executed on November 8, 2023,

A handwritten signature in black ink, appearing to read 'Travis Griggs', written over a horizontal line.

Travis Griggs